

REMARKS

I. Final Restriction of Claims

The Examiner has withdrawn claims 1-9 from consideration.

II. Claim Amendments

With this response, claim 10 is amended and claim 13 is canceled. Support for amendments to claim 10 are found, *inter alia*, in canceled claim 13 and at page 1, line 12 and page 10, lines 13-25. No new matter has been added.

III. 35 USC 102(b)

Claims 10-13 are rejected under 35 USC 102(b) as being anticipated by Gu Seiken et al. (JP 2000-169879). The Applicant traverses this rejection as follows.

Claim 10 as amended herein recites

"A method for preparing a soft soap containing salt... wherein the soft soap contains 2 to 15 wt % of the salt... and wherein the fatty acid salt contains more than 60 wt% of lauric acid and myristic acid."

It is clear from the above claim and from the object of the present invention as described in the specification, for example, at page 1, lines 10-16 that "*The present invention...relates to a method for preparing a salt-containing soft soap containing a large amount of salt...comprising lauric acid and myristic acid*". The claimed ranges are disclosed at page 21, lines 7-10 and page 10, lines 13-25, respectively.

In contrast to the presently claimed method, Gu Seiken et al. disclose a soap having "*1% of the weight of salts*" (see [0049], Example 1). The prior art such as Gu Seiken et al. at the time the present invention was made, used 1 wt% of salt or less because soaps by prior methods exceeding 1 wt% of salt had decreased moisture content and would crack. Thus, the method of the present invention allows for an excess of 1 wt% salt because as disclosed at page 16, lines 4-

10, lauric and myristic acid decrease any excess of unsaturated fatty acid or long chain fatty acid thereby decreasing the melting point of the soap and providing sufficient elasticity to prevent cracking.

Gu Seiken et al. do not disclose a soap containing more than 60 wt% lauric acid and myristic acid, as recited in amended claim 10. Thus, in addition to the novelty of claim 10 over Gu Seiken et al. in view of the recited range of salt, the claimed method also differs from the method of Gu Seiken et al. in that lauric acid and myristic acid are used.

In view of the above, the Applicant submits that claim 10 is novel over Gu Seiken et al. under 35 USC 102(b), and that at least by virtue of their dependency on claim 10, claims 11-12 are also novel over Gu Seiken et al.

The Applicant further submits that the presently claimed method is patentable over Gu Seiken et al. because a method for soap preparation comprising 2-15 wt% salt was not previously recognized by the prior art as being possible without undesirable effects such as cracking. The presently claimed invention provides a method for obtaining the desired effects of 2-15 wt % salt in a soap—*e.g.* removal of waste materials, increased blood circulation, relief of itching, etc, (see page 7, lines 14-17)—but with 60 wt% lauric acid and myristic acid, the cracking of the soap is prevented. In this way, the claimed range of 2-15 wt% salt is in direct contrast to the maximum amount of salt previously used in the art, as exemplified by the upper limit of 1 wt% disclosed in Gu Seiken et al. The Applicant thus submits that claim 10 is patentably distinct from the teachings and/or suggestions of Gu Seiken et al. Accordingly, the Applicant submits that dependent claims 11-12 are also patentable over Gu Seiken et al.

IV. Conclusion

Applicant respectfully contend that all conditions of patentability are met in the pending claims as amended. All amendments herein are made without prejudice. The Examiner is respectfully requested to pass the application to issue.

* * * * *

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this paper (and any enclosure referred to in this paper) is being transmitted electronically to the United States Patent and Trademark Office on

Respectfully submitted,

/Nicole Ballew Chang, 61,611/

Nicole Ballew Chang
Agent for Applicant
Reg. No. 61,611
LADAS & PARRY
5670 Wilshire Boulevard
Suite 2100
Los Angeles, CA 90036
(323) 934-2300

May 21, 2008
(Date of Transmission)

Stacey Dawson
(Name of Person Transmitting)

/Stacey Dawson/
(Signature)

/May 21, 2008/
(Date)